

**ENTERED**

March 02, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

SCANDINAVIAN BUNKERING AS,

Plaintiff,

VS.

NORFIELD SHIPPING AS, *et al*,

Defendants.

§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 3:13-CV-269

**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation of United States Magistrate Judge John R. Froeschner. This case was referred to Judge Froeschner pursuant to 28 U.S.C. § 636(b)(1)(B). Pending before Judge Froeschner was the Motion for Partial Summary Judgment (Dkt. 73) filed by Plaintiff, Scandinavian Bunkering, A.S. On February 9, 2016, Judge Froeschner filed a Report and Recommendation recommending that Scandinavian's Motion for Summary Judgment be denied. (Dkt. 118).

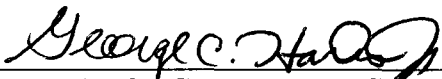
No objections have been filed to the Report and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

- (1) Judge Froeschner's Report and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) Scandinavian's Motion for Partial Summary Judgment is **DENIED**.

It is so **ORDERED**.

SIGNED and ENTERED this 2<sup>nd</sup> day of March, 2016.

  
\_\_\_\_\_  
GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE